



Code of Conduct

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Table of Contents

INTRODUCTION.....	3
ARTICLE I - JURISDICTION	5
ARTICLE II – RIGHTS	14
ARTICLE III – EXPECTATIONS AND COMMUNITY STANDARDS	16
ARTICLE IV - PROCESS	24
ARTICLE V – GENERAL AND INSTITUTIONAL INFORMATION	37

INTRODUCTION

Adelphi University has a clear mission:

Our University transforms the lives of its students by creating a distinctive environment of intellectual rigor, research, creativity, and deep community engagement across four core areas of focus: arts and humanities, STEM and social sciences, the professions, and health and wellness.

The ability and freedom to teach, learn, and develop depend upon appropriate opportunities and conditions in the classroom, in the residence hall, elsewhere on campus, and in the greater academic community. The University has developed procedures and policies to safeguard this process and to maintain an environment that is conducive to the learning process.

Although no one document can be exhaustive, the purpose of a code of conduct is to set out standards of conduct, to give notice of expectations and prohibited behavior, and to identify the procedures the University employs to resolve incidents in which behavioral expectations are not met. The *Code of Conduct* is not meant to address simple differences of opinions or inhibit freedom of expression.

The process outlined in this *Code* (conduct process) is designed to be one of education and critical thinking. The process is NOT designed to mimic formal proceedings found in civil or criminal court proceedings, nor is this process designed to punish individuals. Everyone is encouraged to participate in the process, in order that they might contribute insights and develop skills in the resolution of conduct matters.

All members of the University community are expected to maintain the highest standards of personal and academic integrity and are also asked to seriously consider their responsibility for shaping prevailing community standards. Everyone is encouraged to confront deviations in community standards or violations of policy in constructive ways, including the appropriate application of this *Code*. They are also encouraged to make reasonable efforts to prevent violations of policy or standards when it can be done in a safe manner. All members of the University community are prohibited from engaging in conduct resulting in or leading to any of the behaviors listed in the *Code of Conduct*.

Although the expectations for conduct apply to the entire community, the adjudication and related processes in this *Code* only apply to those who are students at the time of the possible infraction. When other members of the community are alleged to violate this *Code*, they may be subject to adjudication pursuant to the appropriate procedures identified in other policies or agreements.

Adelphi University believes that the procedures, policies, and safeguards described herein are indispensable to maintaining an academic environment appropriate to teaching, learning, and development.

This *Code of Conduct* is subject to change. The University will routinely review this *Code* to ensure that it is up-to-date, applicable, and consistent with the University's mission.

Parts of this *Code of Conduct* have been inspired by suggestions for model codes as authored in the Procedural Guide for Conduct Professionals, available from the Association for Student Conduct Administration.

To the extent that any provision of this document conflicts with any provision of the relevant, current Collective Bargaining Agreement (CBA) or other applicable policy, then the terms of the relevant CBA or other policy shall prevail.

ARTICLE I - JURISDICTION

This *Code of Conduct* has applicability to the following groups of people:

- Students at Adelphi University (see definition);
- Staff members of Adelphi University;
- Faculty members of Adelphi University;
- Executive Leadership of Adelphi University;
- Guests or visitors of students, staff, faculty, and executive leadership of Adelphi University;
- Invitees and Licensees of Adelphi University.

This *Code of Conduct* shall apply to any of the following situational types:

- Individual student conduct matters who engage in prohibited behavior identified in this Code;
- Organizational student conduct matters who engage in prohibited behavior identified in this Code;
- Incidents that occur on any campus of Adelphi University;
- Incidents that occur off the property boundaries of any Adelphi University campus, if the behavior poses an imminent and non-hypothetical health or safety risk to the Adelphi campus community;
- Incidents that occur during a University-sponsored event (including, but not limited to department-sponsored events, organizational events, study abroad trips, and academic course field trips);
- Incidents of bias that contain direct threats, intimidation, or violence;
- The adjudication procedures identified in this Code;
- Students, student groups, and student organizations who are accused of committing a violation of other university policies shall be subject to the enforcement of said policy through the process outlined in Article IV of this Code.

This *Code of Conduct* shall NOT apply to the following:

- Disputes of interpretation of a course syllabus, grading, or academic policy between a student and a faculty member or between a student and an office with academic responsibilities;
- Services provided by contract (e.g., Campus Dining, Housing and Residential Life, booking availability, etc.);
- Student Financial Services regulations;
- Interpersonal disagreements;
- Issues and incidents identified to fall under the auspices of other institutional policies that contain standalone investigation and resolution procedures.
- Issues related to discrimination, harassment, a hostile environment based on a protected status, and subsequent retaliation are addressed via the Prohibited Discrimination & Harassment Policy
- Classroom management issues that do not involve other behaviors prohibited by the Code such as intimidation or other threatening behavior;
 - Examples of classroom management issues include, but are not limited to:

- Students speaking on a topic not currently under discussion during the current course period;
- Students who arrive late or leave class early;
- Students who use technology in class without the permission of the instructor and without reasonable accommodation.
- Off campus conduct where not required by law (except as provided for elsewhere in this document);
- Conduct or comments that occur online, including social media that do not involve behaviors prohibited by this code, and that do not involve Adelphi University computing resources;
- Political speech that does not involve behaviors prohibited by this Code;
- Incidents of bias that do not involve behaviors prohibited by this Code. Any behavior that is decided through civil court procedure, except where required by law or involving physical harm to a person or property. The following are examples of items not addressed by this code:
 - Slander, libel, defamation, and breach of contract.

Individuals who cannot seek resolution under the provisions of this *Code* are encouraged to seek resolution through an alternative resolution process, including, but not limited to:

- [Office of] Academic Services and Retention;
- Alternative dispute resolution;
- Arbitration;
- Behavior Intervention Team;
- Civil court proceedings;
- [Office of] Community Concerns and Resolution;
- Criminal court proceedings;
- Specific institutional policies or procedures regarding the topic in question.

In all matters in which the Code of Conduct does not apply, Student Conduct and Community Standards may have an educational dialogue with the student, group, or organization or may ask another University office to have that conversation.

Use of the *Code of Conduct*

The Student Conduct Officer shall have the discretion to determine appropriate resolution method.

Referral to and Cooperation with Law Enforcement

The University may refer potential violations of law to appropriate law enforcement agencies. Such referral does not preclude University action for the same violations. The conduct process does not determine violation(s) of the law. The conduct process is an administrative process that seeks to hold students accountable for minimum behavioral expectations related to the *Code of Conduct*.

Student Groups and Organizations

Student groups and organizations may face violations of this *Code*. A student group or organization and its officers may be held collectively and individually responsible for violations of this *Code*. These violations may have been committed by those associated with the group or organization, if the member(s) received the consent or encouragement of the group or organization, or the leaders or

officers of the group or organization. The finding of responsibility may occur if the group or organization knew or should have known about the behavior and failed to make reasonable efforts to prevent it.

The officers or leaders or any identifiable spokesperson for a student group or organization may be directed by the Student Conduct Officer to take appropriate action designed to prevent or end violations of this *Code* by the group or organization or to educate the group or organization. Failure to make reasonable efforts to comply with the Student Conduct Officer's directive may be considered a violation of this *Code*, both by the officers, leaders, or spokesperson for the group or organization and by the group or organization itself.

The officers or leaders of a student group or organization in violation of this *Code* will be subject to a resolution conference or hearing with the Student Conduct Officer.

Sanctions for group or organization misconduct may include revocation or denial of University recognition, as well as other appropriate sanctions, pursuant to the sanctions outlined in this *Code*.

Definition of Terms

Advisor of choice refers to any person whom a student or student organization selects to assist them through the conduct process. Advisors of choice are not trained by Student Conduct and Community Standards staff in the conduct process. An advisor of choice may confer with their advisee(s) but may not actively participate in the conduct process by offering information on behalf of the student or student organization. A student or student organization is entitled to one (1) advisor of choice and one (1) faculty advocate when participating in the conduct process.

Business days are days when University offices are open for business (excluding weekends). *Class days and business days may not correspond.*

Complainant Is an individual who reports that they have been the subject of prohibited conduct. Any member of the University community or a guest may act in the role of complainant. The following are the responsibilities of the complainant:

- Completing the online complaint form
- Indicate that you wish to pursue formal conduct charges (radio button)

https://cm.maxient.com/reportingform.php?AdelphiUniv&layout_id=0

If available, provide

- Support the complaint with additional information or evidence in support of the complaint, that demonstrates by a preponderance of the evidence that the respondent committed a violation of the Code of Conduct
- Participate in the student conduct process (e.g., meeting with the student conduct officer, participating in the resolution process (informal resolution, university hearing panel, etc.)

Confidentiality may only be offered by some individuals, specifically, those who are not required by law to report known incidents of sexual assault or other crimes to University officials, in a manner consistent with state and federal law, including but not limited to 20 U.S.C. §1092(f) and 20 U.S.C. §1681(a). Licensed mental health counselors, medical providers, and pastoral counselors are

examples of University employees who may offer confidentiality. Student Conduct officers and faculty advocates are not considered confidential resources.

University

Direct Threat is a communication from at least one (1) identified individual to another identified individual that creates or implies a significant risk of substantial harm to the health or safety of another person.

Distribution means any form of sale, exchange, or transfer, regardless of whether money was involved.

Faculty Advocate refers to designated members of the faculty who are available to students to assist them through the student conduct process. Faculty Advocates are appointed by the Provost. Faculty Advocates are trained by Student Conduct and Community Standards staff in the conduct process, but function as independent advisors for students, student organizations, and employees (in accordance with applicable University policies). Faculty Advocates may confer with their advisees but may not actively participate in the conduct process by offering information on behalf of the student advisee. There is no legal privilege between the student and the faculty advocate. (no legal privilege means if a subpoena is issued, there is no expectation of privacy for conversations between the student and the faculty advocate)

Good Standing means that:

- A student does not have an open/active case record, in the student conduct system, in which the person has been outstanding sanctions. (e.g. university disciplinary probation, deferred sanctions, outstanding active (educational sanctions)
- A student Maintains good academic standing (minimum 2.00 cumulative GPA
- An employee does not have any currently open/outstanding sanctions with the Department of Human Resources.

Group means a number of persons who are associated with each other, but who have not complied with University requirements for recognition as an organization.

Institution and **University** mean Adelphi University and its entire undergraduate and graduate schools, colleges, divisions, and programs (whether on the Garden City campus, any other Adelphi campus or instructional site).

Intentional means deliberate.

Organization means a number of persons are associated with each other and have complied with University requirements for recognition.

Privacy means that even offices and employees who cannot guarantee confidentiality under the law, will maintain the privacy of students to the greatest extent possible, and in accordance with applicable Federal and State privacy laws. The information provided to a non-confidential resource, such as but not limited to a Student Conduct Officer, will be relayed only as necessary to investigate and/or seek a resolution.

Reckless means careless or heedless of the potentially harmful consequences of one's behavior, where the risk of harm to persons, property or normal University operations can be reasonably foreseen.

Reporting Party means a person who makes a report of a possible violation of the *Code of Conduct* or other University regulations and policies. A reporting party may or may not also be the Complainant.

Resolution Conference means a process designed to gather and consider relevant information regarding alleged violations of the *Code* and to determine a sanction, if applicable.

Respondent means a person who has been accused of violating the *Code of Conduct* by the Complainant and/or Reporting Party(ies).

Student means any currently enrolled person, or person enrolled at the time of an alleged violation. This includes the period between semesters, such as summer term, or when a student is studying abroad. A person who was a student at the time of an incident is considered a student for the purpose of this *Code*.

Student Conduct Officer refers to the Director of Student Conduct and Community Standards, or the administrator designated by the Director. The Student Conduct Officer is responsible for administering the day-to-day application of this *Code*. An individual wishing to make a complaint regarding violations of this *Code*, or seeking information regarding this *Code* or its application, should contact the Student Conduct and Community Standards Office.

University Hearing Board is a panel comprised of members of the University community's various constituencies (faculty, staff, and students). Members of the University hearing board must be in good standing at the time of appointment and remain in good standing throughout their term of appointment to the board. (see definition of the term "Good Standing")

University Official is any faculty, full-time employee, part-time employee, or student employee, authorized to issue directives in a given situation.

University-Sponsored Activity means any authorized activity on or off University premises that is initiated, aided, authorized, or supervised by the University or one or more recognized student organizations.

Weapon means any object or substance designed to wound, cause injury, or incapacitate people or animals, or damage property, including, but not limited to, firearms, ammunition, explosives, other lethal weapons, and chemicals such as Mace and tear gas. Within the provisions of Article 265 of the New York State Penal Code, firearms and other dangerous weapons include, without limitation, a billy club, blackjack or bludgeon, cane/sword, chukka stick, pistol, revolver, rifle, shotgun, machine gun, switchblade knife, gravity knife, pilum ballistic knife, metal knuckle knife, electronic dart gun, Kung Fu star, electronic stun gun, metal knuckles, sand bag, sand club, wrist-brace type slingshot or slingshot, dagger, dangerous knife, imitation pistol, or any other instrument or weapon. Also included are air guns, spring guns, or any other instrument or weapon in which the propelling force is a spring,

air, piston, or CO2 cartridge. A harmless instrument designed to look like a firearm, explosive, or other weapon is expressly included within the meaning of weapon.

Classroom and Field Placement Standards (Disruptive students in the classroom)

Faculty who need to address student behavior should generally adhere to the following guidelines or steps. These steps are guidance and are not mandatory. Faculty retain discretion over classroom management. Not following the guidelines or steps below does not, in itself, constitute grounds for faculty discipline.

The individual faculty member has primary responsibility for managing the classroom environment^{1,2} The following procedure shall be used by the faculty member if a student creates a disruption to the classroom.

For incidents that do not contain an imminent safety risk (e.g. weapon use, violence, or direct threats):

1. The instructor may direct the student to leave the classroom for the remainder of the class period;
 - a. If the student does not comply with the faculty member's directive to leave the classroom, Public Safety may be contacted for additional assistance;
2. The instructor will try to meet with the student and resolve the issue after the conclusion of the class period and before the next scheduled class meeting;
 - a. The purpose of the conversation is to allow for an informal conversation between the student and the faculty member to discuss the incident that caused the disruption. Both the student and the faculty member may have an advisor of choice present at the meeting. The advisor of choice, for either party, may not actively participate in the conversation, and serves as a support person for their respective party. (See advisor of choice definition in this document) It is strongly advised that a faculty member consider adding information about classroom disruption to their course syllabus, including copying and pasting this section of the Code of Conduct.
 - b. Faculty should document attempts to reach out to the student and document, in writing (via email) a summary of any meeting in which the faculty member and the student meet to discuss the disruption. A copy of this documentation should be provided to the student and maintained by the faculty member.
 - c. Faculty and students are encouraged to include support resources in the conversation who can aid in the discussion and resolution of the incident. Support resources include, but are not limited to making referrals for the student to appropriate University offices or services;
3. The student and the instructor shall attempt to come to a resolution regarding the disruption;

In this type of situation, it should be the last resort of a faculty member to contact Public Safety (as a last resort) and shall attempt to resolve the matter in other ways.

For incidents that contain an imminent safety risk (e.g. weapon use, violence, or direct threats):

¹ In cases of imminent danger, a faculty member must immediately contact Public Safety, by calling 516-877-3501

² After attempting deescalation techniques to diffuse a disruptive student in the classroom, a faculty member may contact Public Safety for additional assistance.

1. The instructor will direct the student to leave the classroom for the remainder of the class period;
 - a. If the student does not comply with the faculty member's request to leave the classroom, Public Safety should be contacted for additional assistance;
2. The faculty member shall complete an online incident report (located on the Student Conduct and Community Standards website) documenting the incident.

Options for the student:

1. If a student is not satisfied with the outcome of the meeting, the student may follow the procedure outlined in the University policy: “Protocol for Student Complaints Concerning the Actions of Members of Faculty”

As outlined above, if a student engages in any behavior that results in disruption of a class, they may be directed by the faculty member to leave the class for the remainder of the class period. Absent any administrative action or imposed temporary sanction issued by the Director of Student Conduct and Community Standards, or other authorized University official (e.g. Title IX Coordinator, Dean of Students, etc.) the student shall be permitted to return to the classroom for the next scheduled class meeting.

In addition to the process outlined above, an instructor may make a request to the Associate Provost, see below to withdraw a student from a course if the student’s behavior continues to disrupt the course, and incident reports have been filed with the Office of Student Conduct and Community Standards that document the disruptive behavior.

Individual schools and departments may have behavioral codes and expectations of professional standards that apply to classroom, clinical, field placement, or other settings. Students in these schools or departments are accountable for those standards in addition to the behavioral expectations outlined in this *Code*. *The Student Conduct and Community Standards Office does not enforce departmental or professional school standards.*

For undergraduate coursework, the Associate Provost is the Associate Provost for Student Success. For graduate coursework, the Associate Provost responsible is the Senior Associate Provost for Graduate Studies and Faculty Development

Academic Integrity

Applicable Procedures

The individual or office responsible for investigating and adjudicating academic integrity violations depends upon the severity of the alleged conduct. Typically, an academic integrity violation will be investigated and resolved by the reporting course faculty member. However, academic integrity violations may be referred to Student Conduct and Community Standards (SCCS) for investigation and adjudication when the alleged conduct is severe enough to warrant a potential sanction of university suspension or expulsion were the student to be found “responsible.”

Upon submission, SCCS, in consultation with the Academic Integrity Officer (IO), will review all integrity reports to determine if the matter should be referred to SCCS for investigation and

adjudication. If so, SCCS will conduct the investigation and reach a resolution of the case. In cases referred to SCCS, the procedures and rights outlined in the Code of Conduct will apply.

For all other matters, responsibility for the investigation and resolution rests with the reporting faculty member, and the procedures and rights outlined in this Policy will apply.

When a matter involves potential violations of both the Academic Integrity Policy and the Code of Conduct, SCCS may invoke the student conduct process against any student (graduate or undergraduate) for any potential Code of Conduct violations other than academic integrity.

Identification Cards

Each member of the University community is issued a picture identification card, electronic equivalent, or temporary pass and must always carry it with them while on University premises or at University-sponsored activities. Identification cards must be presented upon request of any University Official or agent in the normal conduct of University business.

- Identification cards are not transferable. The owner of the card will be called upon to account for any fraudulent use of their identification card and will be subject to conduct action by the University if they aid such fraudulent use. A card will be forfeited if the person to whom the card was issued allows any other person to use the card;
- If a student is suspended or expelled from the University, the identification card must be surrendered to the Student Conduct Officer, who will promptly return the surrendered card to the Department of Public Safety and Transportation.
- If an employee resigns or is terminated from their position, the identification card shall be returned to the Department of Human Resources, who will promptly return the identification card to the Department of Public Safety and Transportation.

Visitors and Guests

Visitors, including invitees or licensees, shall always conduct themselves in a manner which is consistent with the maintenance of order on University premises pursuant to this *Code*; their privileges to remain on University property shall terminate upon violation of this *Code*. The University reserves the right to withdraw at any time the privileges of invitees or licensees to be on University premises. Trespassers have no privileges of any kind on University premises but will be subject to the University's regulations governing the maintenance of order. Additionally, students, student groups, and organizations may be held accountable for the acts of misconduct of their guests while on University premises or at University-sponsored activities.

The Division of Student Affairs

The Division of Student Affairs, through the Student Conduct Officer, directs the efforts of students and staff members in matters involving student conduct. In addition, the Student Conduct Officer will provide opportunities for education, ethical development, outreach, and assessment in the areas of student conduct, conflict resolution, and civility. The responsibilities of the Student Conduct Officer include:

- Determining on a case-by-case basis the violations that apply pursuant to this *Code*.

- Interviewing and assisting parties involved in student conduct proceedings and arranging for a balanced presentation at resolution conferences or before the University Hearing Board.
- Maintaining student conduct records.
- Developing procedures for conflict resolution.
- Resolving cases of student misconduct, as specified in this *Code*.
- Creating, revising, and maintaining forms and any other correspondence, necessary to implement this *Code*.
- Developing, disseminating, interpreting, and enforcing campus regulations.
- Maintaining a fair, reasonable, and balanced environment when addressing student behavior and in processes associated with this *Code* and its proceedings. As such, the Student Conduct Officer will be a part of resolution conferences and hearings.
- Whenever possible, providing learning opportunities for students found responsible for violating standards.
- Helping foster students' ethical and personal development.

Referral of incidents (Public Safety and Transportation)

The Department of Public Safety and Transportation may refer any matter to Student Conduct and Community Standards in which the Department of Public Safety and Transportation has cause to believe that the action(s) or behavior(s) of the involved parties may constitute a violation of the minimum behavioral expectations outlined in this Code of Conduct.

ARTICLE II – RIGHTS

Student Bill of Rights

The rights enumerated below apply to all students, in all matters investigated and resolved through the student conduct process, not just those incidents involving a possible violation of Title IX of the Education Amendments of 1972. All students have the right to:

1. Make a report to the local law enforcement and/or the state police;
2. Have disclosures of sexual assault, dating violence, domestic violence and stalking treated seriously;
3. Decide whether to disclose a crime or violation and participate in the University disciplinary process and/or criminal justice process free from pressure from the University.
4. Participate in a process that is fair, impartial and provides adequate notice and meaningful opportunity to be heard;
5. Be treated with dignity and to receive from the University courteous, fair and respectful health care and counseling services where available;
6. Be free from any suggestion that the reporting individual is at fault when these crimes and violations were committed, or should have acted in a different manner to avoid such crimes or violations;
7. Describe the incident to as few University representatives as practicable and not be required to unnecessarily repeat a description of the incident;
8. Be protected from retaliation by the University, any student, the respondent, and/or their friends, family and acquaintances within the jurisdiction of the University;
9. Access to at least one (1) level of appeal of a determination;
10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused or respondent throughout the University for disciplinary proceedings including all meetings and hearings related to such proceedings.
11. Exercise civil rights and the practice of religion without interference by the investigative, criminal justice or disciplinary proceedings of the University.
12. This is a voluntary process, a student, student organization, or student group may choose to participate to the extent that they feel comfortable. The university recommends that individuals It is in the best interest of the participant to participate in the process as fully as they are able. If a participant chooses not to participate in the process, the student conduct officer or hearing board cannot consider the participant's information or version of events related to the incident. The university reserves the right move forward in the process, regardless of the level of participation.

Standards of Fairness in the Conduct Process

The purpose of a student conduct proceeding is to provide a fair evaluation of the information surrounding a report of misconduct. Although formal rules of evidence do not apply, procedures

shall comply with standards of fairness and the provisions of appropriate sections of this *Code*. Harmless deviations from the prescribed procedure shall not invalidate a decision or proceeding.³

³ The University has chosen to codify specific protections identified in the U.S. Constitution and New York State law, into its Code of Conduct. The university is contractually obligated to follow the provisions of this Code, for all students, student groups, and student organizations.

ARTICLE III – EXPECTATIONS AND COMMUNITY STANDARDS

Prohibited Behavior

All members of the University community are prohibited from engaging in conduct resulting in or leading to any of the behaviors listed below. The following violations are not listed in any particular order, including the seriousness of the violation or possible sanction. Although expectations for conduct apply to the entire community, the adjudication and related processes in this Code only apply to students. Further information regarding the enforcement of this Code may be found in Article I.

Academic Integrity- The Code of Academic Integrity prohibits any behavior that violates the norms of trust, transparency, and originality that underpin academic life. Violations may include behavior that can broadly be described as lying, cheating, or stealing and may also include misrepresenting the sources of information submitted or the way an assignment was created. Specific violations of academic integrity are defined below.

Academic Integrity-Cheating- Consulting or using any unauthorized form of assistance during an exam, test, quiz, or similar assignment. This includes, but is not limited to, looking at another student's materials or at a book, electronic device, or notes; receiving assistance by means of audio equipment; or consulting any other materials not permitted by the instructor. Cheating is also understood to include sharing or having advance access to exam material and deliberately violating the time constraints or other requirements of an examination.

Academic Integrity- Collaborating in areas not approved by the professor- Collaboration between two or more students enrolled in the same section on any assignment--tests, quizzes, forum posts, lab work, projects, presentations, and all others-- unless specifically permitted by the instructor.

Academic Integrity-Fabricating data or citations- Intentionally fabricating or generating by methods other than those usual in the discipline any form of information or evidence, including citations, text, notes, illustrations, or data.

Academic Integrity-Facilitation of Dishonesty- Deliberately aiding another student in an effort to violate the standards of academic integrity. For example, allowing another student to see one's exam, lab work, or other assignment for which collaboration is forbidden; completing or substantially revising another student's assignment; posting course materials; or failing to take reasonable measures to safeguard one's own work from access by others.

Academic Integrity-Plagiarism- Plagiarism is the submission of any material--text, images, audio, paraphrases, or ideas--that is not the student's own original work without proper acknowledgment. The presence of any such material in a submission is sufficient to support a charge of plagiarism, which does not require proof of intent or the wholesale copying of another's work. Materials generated by many AI tools may fall under this heading. Nevertheless, students must remember that as a general rule it is their responsibility to clearly indicate the location and source of material that is not their own original work, whether that material derives from another person, sources found online or elsewhere, or from any technology that generates, paraphrases, or reworks text.

Academic Integrity- Sabotage of others' work, including library vandalism or manipulation-

Any act that deliberately restricts others' use of or access to instructional materials, including library resources, lab equipment, computer hardware or software, or materials posted for class use.

Deliberately harming another student's academic progress or standing, including by falsifying or tampering with lab work or experiments, preventing others from completing required assignments, or modifying group work without others' knowledge in a way that causes deliberate harm.

Academic Integrity- Tampering with or falsifying records- Falsifying a form or document relating to academic matters, for example: add/drop forms, incomplete contracts, petitions, and any documents relating to attendance, including sign-in sheets, doctor notes, athletic travel requirements, and all others.

Academic Integrity- Unauthorized multiple submissions of one's own work: Submitting any previously submitted work, in whole or in part, for any class without the permission of the instructor and proper acknowledgement.

Acceptable Use Policy-

1. Unauthorized access to, or unauthorized, mischievous, malicious or inappropriate use of (including for commercial purposes), computer equipment or networks, or electronic communication devices, or the use of such equipment or devices to gain unauthorized access to, and/or use of, off-campus computer equipment.
2. Knowing transmission of computer viruses, and unauthorized or illegal duplication of software or other electronic content is also prohibited.
3. Using peer-to-peer (P2P) file sharing or the unlawful downloading of copy written material without the permission of the author is prohibited.
4. Sharing Adelphi University network credentials with another person or using the Adelphi University network credentials of another person to access information, files, or platforms.
5. For a complete list of Information Technology Policies, see <https://it.adelphi.edu/policies>. Complaints of unauthorized, mischievous, malicious or inappropriate use of a computer or electronic communication device shall be investigated, and an outcome determined in accordance with the provisions of this *Code*.

Accessory to a Violation-Knowingly helping or encouraging violations of the *Code of Conduct*.

Alcohol-The unlawful manufacture, distribution, dispensing, possession, or use of alcohol. In addition, possession of alcohol and alcohol containers is further regulated by University policy. This section also includes intoxication anywhere on any of Adelphi's campuses. See the Adelphi University Policies, Rules, and Standards Regarding Illicit Drugs and Alcohol in the Guide to Student Life for complete information: operations.adelphi.edu/policies/illicit-drugs-and-alcohol. Complaints involving students and the possession or use of alcohol shall exclusively be investigated, and an outcome determined in accordance with the provisions of this *Code*.

Animals-Bringing into or having an animal (including, but not limited to, cats, dogs, reptiles, and birds) in any University building, except as required or approved by law. Emotional support animals approved by the Student Access Office are allowed in the residence hall room of the student.

Animals used for authorized laboratory purposes or animals for which express permission has been granted are also permitted.

Disruptive Behavior-Acting alone or with others in a manner that significantly obstructs, disturbs, interferes with, or impairs the normal operations of the University, including University classes, departments, facilities, and events, representatives. The behavior in question is typically such that, if left unaddressed, some major element of University life (e.g., learning, studying, sleeping, and teaching) would be denied or unreasonably inhibited.

Drugs-The unlawful manufacture, distribution, dispensing, possession, or improper use of either illicit (including cannabis) or prescription drugs. This section also includes intoxication, regardless of substance, anywhere on Adelphi's campuses or at any Adelphi activities. See the Adelphi University Policies, Rules, and Standards Regarding Illicit Drugs and Alcohol in the Guide to Student Life for complete information: operations.adelphi.edu/policies/illicit-drugs-and-alcohol. Complaints involving drugs shall exclusively be investigated and an outcome determined in accordance with the provisions of this *Code*.

Endangerment, Threatening Behavior, or Intimidation-Intentionally or recklessly endangering, threatening, or causing reasonable apprehension of physical or mental harm to any person. This section also includes stalking or harassing behavior that includes, but is not limited to, threatening language, physical, verbal, or written intimidation, including cyber harassment. The behavior in question is typically such that, if left unaddressed, the person would be denied the ability to participate in or benefit from some educational or other experience.

Failure to Comply with Official Direction-Failure to comply in a timely manner with reasonable written or verbal direction of University Officials acting in performance of their duties.

False Information, Forgery, or Unauthorized Use of Documents-Intentionally furnishing false information to the University or to University Officials that has an impact on the University process or operation. This includes, but is not limited to, providing untrue or misleading information during, or leading up to a disciplinary conference or hearing, pursuant to this *Code*. However, this provision is not only applicable to the student conduct process. Forgery, unauthorized alteration, or unauthorized use of any University document or electronic transmission (or such form or transmission used or relied upon by the University), or instrument of identification, or academic and nonacademic record, signature, seal, or stamp thereof are also prohibited.

Fire-Safety-Intentionally or recklessly causing a fire. Intentionally or recklessly activating a smoke detector, heat detector, or sprinkler system. Tampering with fire equipment. Failing to evacuate in a timely manner during a fire alarm. Knowingly filing a false report or alarm of a fire, explosion, or another emergency.

Fireworks-Unauthorized use or possession of fireworks.

Hazing- Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that:

- is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization (as defined herein); and
- Causes or creates a risk, above the reasonable risk encountered in the course of participation in the higher education or the organization, or physical or psychological injury including, but not limited to:
 - whipping, beating, striking, electronic shocking, placing a harmful substance on someone's body, or similar activity
 - causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or similar activity;
 - causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
 - causing, coercing, or otherwise inducing another person to perform sexual acts;
 - any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
 - any activity against another person that includes a criminal violation of local, State, or Federal law; and
- any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, or Federal law.

Identification Cards-Failure to carry, produce or surrender the identification card, or electronic equivalent upon the request of a University Official or agent. Providing identification cards to another person for their use is also prohibited.

Interference with University Operation-Intentionally or recklessly interfering with normal University operation or University-sponsored activities including, but not limited to, studying, teaching, research, and emergency services.

Physical Violence-Intentionally or recklessly causing physical harm to any person. This section includes but is not limited to physical fights, intentionally or recklessly causing injuries, or any physical acts of aggression.

Property Damage or Destruction-Intentionally or recklessly destroying, damaging or defacing University property or the property of others.

State or Federal Law or Ordinances (Violation of)-Violations of a New York State or U.S. federal law or local ordinance.

Retaliation-The University forbids acts of retaliation perpetrated against persons who engage in protected activities outlined in this Code, including filing a complaint, reporting violations, or participating in the process outlined in this *Code*. Retaliation is defined as adverse action taken against a community member for participation in a protected activity.

Smoking-Smoking including cigars, e-cigarettes, hookah pens, e-hookahs, vaping pens, vape pipes, as well as all similar products) on the Garden City campus will be permitted only at the designated sites that are clearly marked. No smoking will be allowed in the residence halls or while traveling on walkways or traveling to or from sites where smoking is not permitted. Smoking permissions

and restrictions at Adelphi University satellite campuses are governed by New York State law and local ordinance.

Theft-Taking property or services without proper permission.

Unauthorized Access to Facilities-Unauthorized access or entry to, or use of, University facilities, equipment or restricted areas.

<https://it.adelphi.edu/policies>

Violation of Disciplinary Sanction-Knowingly violating terms of any disciplinary sanction imposed in accordance with this *Code*.

Violation of University Regulations and Policies-Violating other published University regulations or policies. Such regulations or policies may include, but are not limited to, short or long-term health related regulations, residence hall agreements and accompanying regulations as well as those regulations relating to entry and use of University facilities, computer and network usage policies, campus demonstrations, parking rules and regulations, solicitation and advertising/posting, regulations governing student organizations, drug and alcohol policy, smoking restrictions or prohibitions, and the disruptions policy. The policy library webpage is located at:

<https://www.adelphi.edu/policies/>

Weapons-Unauthorized use, possession, or storage of any weapon, or ammunition for a weapon, regardless of whether a federal or state license to possess the weapon has been issued to the possessor. Persons who are licensed and/or obligated to carry firearms must obtain written permission from the Executive Director of Public Safety and Campus Transportation or designee to bear such on University premises or at University-sponsored activities. The possession of the facsimile of a weapon or use of a facsimile weapon is prohibited.

Sanctions

One (1) or more sanctions may be assigned when a student accepts responsibility or is found responsible in accordance with this Code for a violation. Sanctions will be determined on a case-by-case basis, utilizing the following criteria:

- the nature of the violation(s);
- the educational or developmental goals identified;
- the severity of the damage, injury, or harm resulting from the behavior;
- the previous disciplinary history of the student;
- mitigating circumstances; and
- aggravating circumstances, which may include bias-motivation.

There are two (2) types of sanctions in use at Adelphi University. **Active sanctions** are educational sanctions that require the student to take action. **Inactive sanctions** are sanctions that, by themselves, do not require the student to take action. These sanctions may put restrictions on students or their student status. Examples of both active and inactive sanctions can be found below:

Active Sanctions

Community Service: Designated service to provide a student with a new perspective and inform their future behavior. This is service to the University or to another entity designed to compensate

the University community for violations of this Code. Specific learning outcomes may be assigned for the community service project.

Educational Sanctions: The required completion of one (1) or more assignments, projects, activities, and/or other endeavors, which are determined appropriate to the violation and is designed to provide the student with a better understanding of their behavior and that behavior's impact on others. Students may be provided a selection of educational sanctions to choose from, allowing them to participate in developing their own individualized learning experience. The goal of this process is to provide a framework for intentional and purposeful sanctioning consistent with the department's identified learning goals.

Educational sanctions should be linked to the following learning goals for students. As a result of involvement with the conduct process students will be able to:

- Possess knowledge of University policies.
- Relate University policy to daily life.
- Consider alternative perspectives and solutions.
- Apply information and experiences to a new situation.
- Articulate a rationale for their personal behavior and learn from their past experiences.
- Accept personal accountability.
- Articulate the values and principles involved in personal decision-making.
- Demonstrate consideration for the welfare of others.

Fines: In certain instances, only when required by law, students may be required to pay a monetary fine if found to have violated certain policies.

Rehabilitation/Counseling: This includes, but is not limited to, mandatory completion of a rehabilitation program for drug- or alcohol-related violations and/or mandatory completion of a counseling program for anger-related or other violations. The student may be responsible for paying a fee for such a program.

Restitution: Repayment to the University or to an affected party for damages resulting from a violation of this *Code*. The authority of the University to enforce the collection of restitution to individuals is limited.

Workshop Completion Facilitated by a Professional or Licensed Practitioner: Skill building options like anger-management, decision-making skills, etc.

Inactive Sanctions

Expulsion: Termination of student status and permanent exclusion from University privileges and activities. An expelled student is permanently *persona non grata* (banned) from all University facilities, grounds, buildings, programs, and activities.

Permanent Removal From Housing: Permanent exclusion from all residence halls.

Removal of Privileges/Restriction From Facilities and Activities: Exclusion from designated privileges, facilities, and/or activities.

Residence Hall Suspension: Exclusion from all residence halls for a specified period.

Residence Probation: A period of increased scrutiny of a resident student's behavior to determine if the student should remain in housing. This may also include exclusion from participation in privileged residence hall activities for a specified period.

Suspension: Exclusion from classes and other privileges and activities as set forth in a written notice for a definite period, usually not exceeding one (1) year. A student who is suspended loses student status for the period of suspension. A suspended student is *persona non grata* (banned) from all University facilities, grounds, buildings, programs, and activities. As a condition of suspension, credits earned elsewhere during the period of suspension may not be transferable to Adelphi and will be determined on a case-by-case basis.

University Disciplinary Probation: A period of increased scrutiny of a student's behavior. This may include exclusion from participation in privileged or co-curricular activities for a specified period; additional restrictions or conditions may be imposed. Violations of disciplinary probation terms, or any other *Code* violation during the probation period, will normally result in suspension or expulsion from the University.

Warning: Written or verbal notice to the respondent offender that continuation or repetition of prohibited conduct may be a cause for further disciplinary action.

Temporary Sanctions

When the University receives a report of alleged misconduct, the University may take immediate steps to protect the reporting party, other affected parties, and the community. When taking such measures, the University will, to the extent practical, minimize the burden equitably on both parties. In this regard, temporary sanctions are limited to any action necessary to reach the desired effort involving protection of the community, reporting party, and respondent. They are also limited in time to the adjudication of the policy violation(s) in question and are designed to be as non-punitive as possible. Temporary sanctions may include issuance of a no-contact order, or a change in housing, academics, transportation, campus employment, campus involvement, activities, or overall student status. The imposition of temporary sanctions does not mean that a final determination about whether the student, student organization, or student group, committed a violation of the Code of Conduct occurred. Temporary sanctions are issued based on the information known to the University at the time of reporting. A final determination of responsibility for violating the Code of Conduct will be made at the conclusion of the process described in Article IV.

The Dean of Students or designee may remove or suspend a student from University housing or the University pending student conduct action or medical evaluation, which shall be scheduled at the earliest possible time. The temporary sanction(s) shall become immediately effective without prior notice whenever there is information that the continued presence of the student on campus poses a substantial and immediate threat to themselves, or to others, or interferes with normal University operation or activities as specified in Article III of this *Code*. The student so removed/suspended may appeal the imposition of the temporary sanction by completing and submitting the online appeal form. (see link below) Such a request does not delay the imposition of the temporary sanction.

The decision to impose any temporary sanction will be based on the following thresholds:

IMMINENT VERSUS SIGNIFICANT THREAT: An imminent threat refers to a situation where there is a clear and immediate danger of violence, necessitating swift intervention to prevent harm. Imminent threat often includes explicit statements or behaviors indicating that an individual is about to commit a violent act. Conversely, a significant threat involves behaviors or statements that suggest a potential for violence, but without immediate danger.

SIGNIFICANT DISRUPTION TO CAMPUS OPERATIONS: When disruptive behavior is particularly severe or persists despite multiple interventions, it may be necessary to remove the individual from a program, activity, or certain areas of campus to maintain a safe and productive environment and to give the student, student group, or student organization, time to engage in educational conversations and the conduct process with conduct staff. (Association for Student Conduct Administration, 2026, p. 39)⁴

The involved parties will, upon written request, be afforded a prompt review, reasonable under the circumstances, of the need for, and terms of an interim measure including potential modification, and will be allowed to submit information in support of his or her own request. This request will be made to the Dean of Students or designee via the online appeal form (see link below)

The loss of housing, assigned by Residential Life and Housing, may be appealed by the student to the Dean of Students, who will consider the appeal or refer it to a designee for consideration. A student appealing such sanction must submit a written request for the appeal within 48 hours of receipt of this sanction, including sufficient grounds for the appeal. If sufficient grounds are not presented, the appeal will not proceed, and the sanction will stand.

The first step in appealing any temporary sanction or the loss of on-campus housing, is to complete the online appeal request form. ((located at: https://cm.maxient.com/reportingform.php?AdelphiUniv&layout_id=16) Any subsequent communication will be initiated by the Dean of Students or designee. The student should read all communication received from the Office of Student Conduct and Community Standards for further information about their specific case.

⁴ Association for Student Conduct Administration. (2026). Procedural Guide for Conduct Professionals. Kindle Middletown, DE

ARTICLE IV - PROCESS

Procedural Expectations for the Conduct Process

Procedural note- Student Conduct officers and faculty advocates are not considered confidential resources. All members of the student conduct process will maintain the privacy of students to the greatest extent possible, and in accordance with applicable Federal and State privacy laws.

Regardless of the method of adjudication, all students, student groups, and student organizations, have:

- The right to have their case heard under regular procedures used for all similar cases;
- The right to receive notice of the relevant violations;
- The right to hear a description of the University's information against them;
- The right to present their account to the designated Student Conduct Officer or University Hearing Board;
- The right to request an extension for a meeting or hearing. Said request for the extension must be made in writing, as soon as practically possible, and include the reason for the request, and a proposed date or dates to reschedule the meeting or hearing. The determination about whether the extension will be granted is made by the student conduct officer;
- The right to appeal an imposed temporary sanction (as described in Article III);
- The right of all who participate in the process to have their information considered by an impartial student conduct officer and/or University Hearing Board members;
- The right to have both a faculty advocate and an advisor of choice (maximum of two (2) people).

Standard of Proof

Determination of responsibility for the potential violation(s) shall be established when the conduct officer or hearing body determines a respondent(s) violated *The Code* by a **preponderance of the information**. A **preponderance of the information** means that, after considering all the relevant information, the conduct officer or hearing body believes **it is more likely than not** that the respondent(s) violated *The Code*.

Amnesty

The health, safety, and welfare of Adelphi students and community members are paramount concerns. All students are expected to inform appropriate officials in the event of any health or safety risk or emergency (i.e., those involving alcohol or drug use) even if violations of the Code of Conduct may have occurred in connection with such a risk or emergency. Because the University understands that concerns about possible disciplinary action may deter requests for emergency assistance, the University has adopted the Amnesty Policy to alleviate such concerns and promote responsible action on the part of students.

In a situation involving threat or danger to the health or safety of any individuals, students are expected to:

1. Contact Public Safety by calling 516-877-3511 To report the incident on campus, or 911 off campus;
2. Remain with the individual(s) needing emergency treatment and cooperate with emergency officials; and
3. Meet with appropriate University officials after the incident and cooperate with Student Conduct procedures following the incident,

To encourage reporting and participation in the process, the University may offer amnesty from minor policy violations, such as underage alcohol consumption or use of illicit drugs, related to the incident. Granting amnesty is a discretionary decision made by the Office of Student Conduct and Community Standards, and amnesty does not apply to more serious allegations, such as physical abuse of another or illicit drug distribution. The Office of Student Conduct and Community Standards will consider the positive impact of taking responsible action in an emergency by the reporting student and/or the impact of the emergency on the impacted student when determining the appropriate response for alleged violations of the Code of Conduct. This response can include not initiating a student conduct process for a student. This policy does not preclude or prevent actions by police or other legal authorities.⁵

Reporting an Incident

Any person may report students, student groups, or organizations suspected of violating this *Code or other University policy(ies)*, to Student Conduct and Community Standards. This report is made using the appropriate online web form. (<https://cm.maxient.com/reporting.php?AdelphiUniv>)

Those reporting violations are usually expected to serve as the complainant and to present relevant information in University hearings if the matter is not resolved through an informal process. The University may serve as the complainant in any case where there is reasonable concern for the safety of the reporting party. While individuals may choose to submit a report anonymously, and/or choose not to serve as the complainant, this will likely hinder the ability of the University to respond to the incident. The Director of Student Conduct and Community Standards, in consultation with the Dean of Students, will have discretion to determine if a matter will be pursued when there is a harmed party who chooses not to participate in the process. Typically, such cases would not be pursued.

Responsibilities of the Complainant

The following are the responsibilities of the complainant:

- Completing the online complaint form
 - Indicate that you wish to pursue formal conduct charges (radio button)
 - https://cm.maxient.com/reportingform.php?AdelphiUniv&layout_id=0
- If available, provide additional information or evidence in support of the complaint, that demonstrates that the respondent committed a violation of the Code of Conduct
- Participate in the student conduct process (e.g., meeting with the student conduct officer, participating in the resolution process (informal resolution, University hearing panel, etc.)

⁵ Association for Student Conduct Administration. (2026). Procedural Guide for Conduct Professionals. Middletown, DE. Amzaon.

- A person may choose to serve as the complainant in a particular incident. The University reserves the right act in the role of complainant, if it determines that it is necessary to move forward with a formal resolution process and no one from the University community accepts the responsibility of acting as a complainant.

Time Frame for Reporting Violations

The University will consider all reports about a student failing to meet the minimum behavioral expectations of this *Code*. Individuals are encouraged to report incidents as soon as possible to maximize the University's ability to effectively address the incident.

Investigation

An investigation will be considered once a Student Conduct Officer becomes aware of a possible violation of this *Code*.

The investigation may include any of the following components:

- A review of all submitted information related to the possible violation;
- Interviews of relevant witnesses and other appropriate parties;
- Documentation of relevant information to the incident;
- Any other information or actions deemed necessary by the Student Conduct Officer.

Notification of a Possible Violation

If a student chooses not to attend, participate, and/or does not respond to the student conduct officer, the student conduct process will continue forward, as outlined.

The Student Conduct Officer will notify the student, student organization, or student group identified as the respondent, in writing of a possible violation of the *Code of Conduct*. The notification will include all the following information that is applicable to a particular incident:

- Time, date, and location of the possible violation;
- Name of the reporting party (if known);
- Narrative information contained in any received incident report(s);
- If applicable, supporting information related to the incident (photographs, screenshots, videos, copies of assignments, etc.);
- The name and contact information for currently serving faculty advocates or advisors;
- A copy of the *Code of Conduct* in effect at the time of the possible violation.

The Notice of Possible Violation will include a scheduled appointment time for the Respondent to meet with the Student Conduct Officer. This is the resolution conference. The appointment will be based on the class schedule of the student or designated representative (student group or student organization). The appointment may be changed once to accommodate non-academic commitments of the student or student organization representative, upon the timely request of the student and discretion of the Student Conduct Officer.

Students are expected to appear regarding student conduct matters. Failure to appear at the scheduled appointment time may subject the Respondent to additional student conduct action.

Delivery of the Notice of Possible Violation and all subsequent notices will be made to the student's University email address. Delivery to said email address shall constitute acceptable notice to the student.

The Student Conduct and Community Standards Office reserve the right to notify appropriate University personnel of the existence of a submitted incident report regarding a specific student or student organization, in accordance with the Family Educational Rights and Privacy Act of 1974, as amended.

Resolution Conference

A typical resolution conference consists of the following process:

1. The Student Conduct Officer will explain the conduct process;
2. The Student Conduct Officer will provide information about the role of the faculty advocate, if applicable, and encourage the student or designated student representative to utilize the services of the faculty advocate.
 - (Faculty Advocates do not function as an attorney for the student. There is no legal privilege between the student and the faculty advocate);
3. The Student Conduct Officer will answer any questions about the process posed by the respondent about the process;
4. The Student Conduct Officer and the respondent will engage in a candid discussion about the incident;
5. The respondent shall be given the opportunity to share any information related to the incident;
6. The respondent shall be given the opportunity to share the names and contact information of any witnesses related to the incident, with whom the Student Conduct Officer should meet;
7. The respondent shall be notified by the Student Conduct Officer of the range of sanctions being considered if the respondent is found "responsible" for the violation;
8. The respondent shall be given the opportunity to resolve the matter during the resolution conference or using the University Hearing Board (if applicable)⁶;
9. The Student Conduct Officer shall have the discretion to continue the resolution conference at their discretion, and/or at the request of the respondent.

Resolution of an Incident

Resolution Options There are three (3) broad resolution options for resolving a matter referred to Student Conduct and Community Standards. For those incidents processed through the Code of Conduct, the resolution is between the University and the Respondent. The complainant(s) should participate in the resolution process as appropriate. The Student Conduct Officer has the authority and the imperative to determine the most appropriate resolution option based on the unique features of the incident and the parties involved. The student conduct officer shall notify the respondent of

⁶ A respondent may only select resolution through a University Hearing Board if the possible sanction(s) being considered for the violation include University suspension, University expulsion, or permanent removal from on-campus housing.

the possible sanctions under consideration for the possible violation before the respondent is asked to decide which option they prefer to use.

First Option-Formal Resolution-Hearing Panel-Means a formal process conducted by the University Hearing Board. This formal process is designed to gather and consider relevant information regarding a possible violation of the *Code of Conduct* and to determine a sanction(s), if appropriate. The hearing panel may impose any sanctions listed in the Code of Conduct, as necessary. This option is only available to respondents who may be subject to the sanctions of expulsion, suspension, or permanent removal from on-campus housing. Student organizations or student groups may use this option if the group or organization is being considered for suspension (time limited) or permanent loss of recognition of the organization or group. If the Student Conduct Officer determines that the respondent is not subject to these sanctions for the possible violation, this option is not available to the parties.

Second Option-Formal Resolution-Resolution Conference-Means a formal process conducted by the Student Conduct Officer. This formal process is designed to gather and consider relevant information regarding a possible violation of the Code of Conduct, determine responsibility for the applicable violation(s), and to determine sanctions, if appropriate. Any respondent may opt to resolve their conduct incident via a resolution conference regardless of sanctions being considered. If a violation is determined, the Student Conduct Officer may impose any sanctions listed in this Code.

Third Option-Informal Resolution-Identifies and outlines a process that offers the complainant(s), the respondent(s), and the University an opportunity to resolve a referred incident without the need to resolve the incident via the formal student conduct process. (e.g., resolution conference or formal hearing) The informal resolution process allows the parties to propose components and outcomes designed to develop an equitable resolution of a referred incident using shuttle diplomacy facilitated by the Student Conduct Officer. The Informal Resolution option remains a viable option to the parties at any time in the conduct process up until the time that a determination of “responsible” has been issued (either through acceptance of responsibility or a finding of “responsible” by a hearing officer or hearing board). For additional information regarding how the process of informal resolutions is completed, please refer to the applicable section in Article IV of this document.

At the resolution conference, the respondent shall be provided with the following options for resolution:

Option I: I ACCEPT responsibility for the violation(s) and ACCEPT the recommended sanction(s);

Option II: I DENY responsibility for the violation(s) and request a hearing before a University Hearing Board to decide and issue sanction(s) including, up to University suspension, University expulsion, or permanent removal from housing (*Only available in cases when suspension, expulsion or permanent removal from housing may be considered*);

Option III: The respondent NEITHER ACCEPTS NOR DENIES responsibility in resolution of this incident and remains subject to the finding and any imposed sanction(s).

OPTION IV: I DENY responsibility for the violation. I understand that the student conduct officer will make the decision regarding any responsibility for my participation in the incident and impose any sanctions.⁷

Option III is only available to students who are facing criminal charges at the time of the resolution conference.

The decision of the student shall take effect immediately, unless, at the time of the resolution conference, the student requests of the student conduct officer, a delay of no more than 24 hours to decide. The student must schedule a follow-up meeting with the student conduct officer at the time of the request. The student must also attend the follow-up meeting, otherwise the resolution option shall default to “DENY”, and the matter will be submitted to the appropriate decision maker.

A student subject to a resolution conference shall receive written notification of the outcome of the conference. The outcome letter will include the following items:

1. Finding(s);
2. Sanction(s);
3. Rationale for the decision.

This notification shall normally be sent within two (2) business days following the effective date of the resolution conference or hearing before a University hearing board. Notification of the outcome is not usually communicated to the reporting party and/or victim, except as allowed by the Family Educational Rights and Privacy Act (FERPA).

Notification will be sent to University personnel who have been determined by the Student Conduct Officer to have a legitimate educational interest in the proceedings (as defined by University policy as applicable to the Family Educational Rights and Privacy Act of 1974, as amended).

University Hearing Board

General Description

A University Hearing Board provides for a formal resolution option within the conduct process when possible sanctions include suspension, expulsion or permanent removal from housing. This formal process is designed to gather and consider relevant information regarding alleged violations of this *Code* and to determine a sanction, if appropriate.

Composition

Except as otherwise provided in this *Code*, a Hearing Board is comprised of three (3) panel members (one (1) faculty, one (1) student, and one (1) administrator).

⁷ Only available in cases when suspension, expulsion or permanent removal from housing is not being considered or in cases when suspension, expulsion or permanent removal from housing is being considered, but the respondent elects to have the student conduct officer decide responsibility and impose sanctions

Appointments

Faculty shall be appointed as follows: Faculty members will serve staggered periods of two (2) years. Each April, the Faculty Senate shall designate members to serve for the following year(s) based on anticipated openings. Appointments will generally be made for two (2) years. In some cases, appointments may be made for one (1) year so that openings may be staggered. In the case of unexpected vacancies, the Faculty Senate shall make appointments as the need arises. If vacancies are not filled, the Chair of the Faculty Senate shall appoint an ad hoc member within seven (7) days of being notified of the vacancy.

Administrators shall be appointed as follows: Administrators shall serve staggered periods of two (2) years. Each April, the Senior Human Resources Partner, in consultation with the Director of Student Conduct and Community Standards, shall appoint administrators based on anticipated openings. The administrators will serve for the following year(s) based on anticipated openings. Appointments will generally be made for two (2) years. In some cases, appointments may be made for one (1) year, so openings can be staggered. In the case of unexpected vacancies, appointments shall be made as the need arises.

Students shall be appointed as follows: Students shall serve periods of one (1) year. Each April, the President of the SGA and the President of the GSC shall nominate students to serve for the following year. (Students may also be nominated to serve a second year.) SGA and SGC recommendations shall be subject to approval by the Director of Student Conduct and Community Standards. In the case of unexpected vacancies, additional nominations shall be made as the need arises.

Appointees to the University hearing board must be in and maintain good standing with the University, which includes, but is not limited to:

- May not be on academic probation;
- May not be on University disciplinary probation;
- May not have an open student conduct record in which sanctions are outstanding.

All University hearing board members and faculty advocates must complete the training provided by Student Conduct and Community Standards and must maintain compliance with applicable University policy related compliance and privacy of information for student conduct records.

Appointees who do not meet these requirements are ineligible to serve on the University hearing board and may be removed by the Director of Student Conduct and Community Standards.

Presiding Person

For each hearing, a Student Conduct Officer shall serve as the presiding person at the hearing. The presiding person serves as an ex-officio member of the board and provides administrative support to the Hearing Board.

Ad Hoc Hearing Committees

A three-person (minimum) ad hoc hearing committee may be appointed by the Dean of Student Affairs or designee whenever a Hearing Board is not constituted, is unable to obtain a quorum, or is otherwise unable to hear a case. Ad hoc committees may be composed of administrators, faculty and students, or any combination thereof.

Public Attendance

Hearings will be closed to the public.

Hearing Format and Consolidation

All hearings will be held in a virtual format, unless a party (complainant or respondent) provides documentation of an accommodation which necessitates an in-person hearing.

Student Conduct and Community Standards reserve the right to consolidate the hearings of multiple respondents involved in the same incident into a single hearing.

Notice of Hearing

All appropriate individuals shall be given notice of the hearing time, date, place, and the specific violations(s) against them as well as any witnesses known at that time at least three (3) business days in advance. The parties shall also be notified of the names of the hearing panel members. The complainant and respondent may challenge any hearing panel member, for cause. The Student Conduct Officer shall have the final decision regarding disqualification of University Hearing Board members. (e.g. Has the person making the challenge sufficiently demonstrated, by a preponderance of the evidence, that allowing the challenged board member to serve would cause a conflict of interest either for or against the challenging party?)

Additional information and witnesses may become available later and be considered by the Student Conduct Officer, or their representative. All other parties to the hearing shall also be given prior notice of the time, date, and place of the hearing. Delivery will be made to the University email address. Delivery to said email address will constitute acceptable notice to the student.

All appropriate individuals will have reasonable access to the case file prior to and during the hearing; personal notes of University staff members or reporting parties are not included. Parties may view, but not take or copy, contents of the case file. This file will be retained by the Student Conduct Officer.

All relevant hearing parties may request witnesses to appear at the hearing. The Student Conduct Officer shall coordinate the scheduling and notification of witnesses. University students and employees are expected to comply with such requests unless compliance would result in significant and unavoidable personal hardship or substantial interference with normal University activities.

If any relevant party fails to appear after proper notice, the hearing will proceed, as scheduled.

The notification of hearing letter shall also contain the Rules of Decorum for the hearing, to which all participants shall be expected to comply.

University Hearing Board General Information and Procedures

The presiding person shall exercise control over the proceedings to avoid needless consumption of time and to achieve orderly completion of the hearing. Any person who disrupts a hearing, by not complying with the Rules of Decorum, may be excluded by the presiding person. Exclusion of any participant will be considered a last resort option. The presiding person shall attempt to limit the disruption of any participant before removing them. (e.g. warning, use of the “mute” function, calling a brief recess, etc.)

Hearings shall be recorded. The recording is to be the sole record of the proceedings and is the property of Adelphi University. Such recordings may not be duplicated, except where required by law. No other recordings of the proceedings may be made. Deliberations and executive sessions of the Hearing Board are not recorded.

Witnesses shall be informed that their information must be truthful, and they may be subject to violating the *Code* for intentionally providing false information to the University, pursuant to Article III of this *Code*.

Prospective witnesses, other than the complainant and the respondent, shall be excluded from the hearing during the presentation of information by other witnesses. All parties shall be excluded during board deliberations except for the Student Conduct Officer, who will be present as a non-voting member for the purpose of addressing procedural issues. The Hearing Board may go into an executive session at any time during the proceedings. An executive session is a private, unrecorded meeting of the Hearing Board and other invited individuals. It is typically used to resolve procedural matters.

The case may not be discussed by any member of the Hearing Board outside of the hearing process. All parties to a hearing shall be expected to respect the privacy of other participants in the proceeding.

The Hearing Board’s decision should be based only on information presented at the hearing.

Formal rules of evidence shall not be applicable in student conduct proceedings conducted pursuant to this *Code*. Unduly repetitious or irrelevant information may be excluded, as determined by the Hearing Board with the advice of the Student Conduct Officer, or their representative.

Complainant(s) and respondent(s) may make opening and closing statements, with the complainant proceeding first. Complainants and respondents shall be afforded an opportunity to question witnesses presented by or appearing on behalf of the other party. The process for asking questions of witnesses shall operate according to the following procedure:

1. The party asking the question (complainant or respondent) shall ask their question at the appropriate time during the hearing.
2. The witness may object to the question being asked and provide a reason for the objection.
 - a. If an objection is raised, the presiding person shall determine whether the objection is sustained (e.g. rule the question invalid) or is overruled (e.g. the question is allowed to be asked and answered)

3. Assuming no objection to the question, or that the objection is sustained, before the witness answers the question, the presiding person shall ask the panel members if they determine that the question is relevant, and/or if the panel would like the question rephrased.
4. If the panel agrees that the question is relevant and does not require any rephrasing, the presiding person shall instruct the witness to answer the question.
5. If the panel deems the question irrelevant or the question is to be rephrased, the person asking the question and the witness shall comply with the panel's decision regarding the question.

Hearing Board members may question complainants, respondents, or witnesses at the appropriate time during the hearing.

Written statements shall be considered by the Hearing Board only if the Student Conduct Officer determines that:

1. It is not possible for the individual to appear at the hearing and;
2. The identity of the person signing the statement can be ascertained.

The Student Conduct Officer may require that such a written statement be notarized or signed in their presence. Hearing boards should take note that because written statements are not subject to challenge in the same way as live statements, written statements should be evaluated in that light.

Following the conclusion of the hearing, the Hearing Board will deliberate and make a determination of responsibility, followed by a deliberation as to sanction (if necessary). The past disciplinary record of the respondent will only be supplied to the Hearing Board for consideration after a determination of responsibility. The vote regarding any finding or sanction(s) shall be by majority.

The respondent(s) and complainant(s), when allowed by law, shall receive written notification of the outcome of the hearing, including findings of responsibility and sanctions (if found responsible) and the right to appeal the decision.

The notification shall be sent within two (2) business days following the completion of deliberations. Notification of the outcome of a hearing is not usually communicated to the complainant and/or reporting party, except as allowed by the Family Educational Rights and Privacy Act (FERPA). Notification will be sent to University personnel who have been determined by the Student Conduct Officer to have a legitimate educational interest.

Order of the Hearing

Hearings shall be conducted according to the following procedure:

1. Introduction of all parties
2. Impartiality check (a verbal affirmation that all parties will be fair and impartial when conducting the hearing)
3. Presentation of information by the complainant
 - a. Opening statement

- b. Presentation of information
 - c. Calling of witnesses
 - d. Questioning of complainant witnesses by the respondent
 - e. Questioning of complainant witnesses by the University Hearing Board
 - f. Questioning of complainant by the respondent
 - g. Questioning of the complainant by the University Hearing Board
4. Presentation of information by the respondent
 - a. Opening statement
 - b. Presentation of information
 - c. Calling of witnesses
 - d. Questioning of the respondent witnesses by the complainant
 - e. Questioning of the respondent witnesses by the University Hearing Board
 - f. Questioning of the respondent by the complainant
 - g. Questioning of the respondent by the University Hearing Board
5. Final questioning of any person by the University Hearing Board
6. Closing statements
 - a. Complainant
 - b. Respondent
7. Final instructions
8. Hearing closes
9. Deliberations between Hearing Board members begin
10. The presiding person shall issue an outcome letter on behalf of the panel within two (2) business days of the conclusion of the deliberations by the panel. The outcome letter shall include:
 - a. The finding(s)
 - b. Any sanction(s)
 - c. A rationale for the decision
 - d. Information on the appeal process

Appeals

Who Can Appeal

Respondents found responsible for a violation may appeal decisions arising out of a Hearing, with the following exceptions:

- Since a student who accepted responsibility and the sanctions will not have been granted a hearing, such students may not appeal after the sanction(s) become effective;
- Imposed sanctions less than university expulsion, university suspension, and removal from university housing are not appealable.

Grounds for Appeal

The appeal agent will not conduct a rehearing of the case, but will consider whether the appealing party has a substantiated claim of one (1) or more of the following:

1. A procedural error has occurred that significantly impacted the outcome (e.g., substantiated bias, material deviation from established procedures, etc.) This error

- must be described in the letter requesting an appeal. Minor or harmless deviations from the process will not constitute grounds for an appeal.
2. The discovery of relevant new information that was unavailable during the original process, which has become available and could impact the outcome. A summary of this new evidence, why it was previously unavailable, and its potential impact must be included in the request for appeal.⁸
 3. The sanction imposed is clearly not appropriate for the violation.

Appeal Agent

An appeal agent shall be the person responsible for deciding whether to grant an appeal. Appeal agents are selected from the pool of trained University Hearing Board members. No member shall be eligible to serve as an appeal agent for any case on which that member served on the University Hearing Board.

Student Status Pending an Appeal

Should an appeal request be granted, sanctions that were imposed shall be held in abeyance pending the conclusion of the appeal process, with the following exceptions:

1. The student was suspended on an interim/emergency basis.
2. The student is determined to be a threat to themselves, to others, or to the stability and continuance of normal University functions, per this *Code*.

Appeal Process

Requests for appeals must be submitted in writing ([via the online form](https://cm.maxient.com/reportingform.php?AdelphiUniv&layout_id=16)) (https://cm.maxient.com/reportingform.php?AdelphiUniv&layout_id=16) within three (3) business days of receipt of the outcome letter notifying the appealing party of the original decision. Failure to request an appeal within the allotted time will render the original decision final.

There are two steps in the appeal process.

Step One: The Vice President for Student Affairs and Dean of Students, or designee, will consider the appeal request using the Grounds for Appeal.

1. If the Vice President for Student Affairs and Dean of Students, or designee, determines that the appeal request has established allowable grounds for a review of the matter, the Vice President for Student Affairs and Dean of Students, or designee, shall assign the case to an appeal agent.
2. If appropriate grounds have not been established, the Vice President for Student Affairs and Dean of Students, or designee, shall deny the appeal without any further proceedings.

The Vice President for Student Affairs and Dean of Students, or designee, may request clarification of one (1) or more parts of the appeal to determine whether appropriate grounds have been established.

⁸ Information that a party chooses not to provide during the investigation or hearing, when it is available, may not be presented as new evidence on appeal.

Step Two: When a request to appeal is granted, it will be forwarded to the individual who will decide the appeal on the merits (the “appeal agent”) within three (3) business days.

The appeal agent shall conduct a document review of:

- The appeal request;
- The case information;
- Any new information provided by the appellant.

The appeal agent, at their discretion, may contact any person who participated in the original hearing. The appeal agent may contact any newly identified witnesses, subject to the parameters of grounds for appeal, above.

Appeal Outcome

The appeal agent may find that:

- The appeal does not have sufficient merit as to the grounds listed above. In this case, the original determination of responsibility and/or sanction stands.
- The process in the original hearing or resolution conference contained a procedural irregularity that substantially affected the outcome of the case. In this case, the matter will normally be returned to the original hearing body or person to reopen the hearing with instructions for further proceedings. In unusual cases, the appeal agent may require a new hearing or conference.
- There is relevant new information that was not available at the time of the original hearing or conference. In this case, the matter will normally be returned to the original hearing body or person for consideration.
- The sanction is clearly inappropriate. In this case, it may, at its discretion, refer the matter back to the original hearing body or person to reconsider the sanction, or modify the sanction directly.

The outcome of the appeal shall be communicated in writing to the appellant, within two (2) business days after the appeal agent concludes its deliberations.

ARTICLE V – GENERAL AND INSTITUTIONAL INFORMATION

Delivery of Documents to Reporting Parties, Respondents and Witnesses

Correspondence regarding the conduct process as called for in this Code will be made to all appropriate parties by means that allows for documentation of delivery. This includes, but is not limited to, hand delivery, email, overnight delivery, and certified mail. The primary method of communication will be email (to the Adelphi University email address).

A hard copy of notification will be made when delivery by email is not a valid option, such as deactivation of the student's University email account. Delivery will be made to the current address (local or permanent) as provided by the student to the University when a hard copy is sent. A reasonable attempt to deliver to said address will constitute acceptable notice to the student.

Transcript Notations and Release

Permanent notation of disciplinary action is made on the transcript whenever a student is expelled. If a student who is suspended or withdraws from the University fails to comply with a disciplinary sanction, that student's transcript shall not be released until the Office of the Registrar is authorized in writing by the Director of Student Conduct and Community Standards.

Disciplinary Files and Records

Disciplinary files and records are maintained by Student Conduct and Community Standards. A student's conduct records are routinely discarded after seven (7) years following the incident date. In the event of suspension or expulsion, records are maintained permanently. Additionally, in the event of expulsion, a notation will be included in the permanent student record maintained by the Office of the University Registrar. The release of these records is governed under the Family Educational Rights and Privacy Act of 1974.

Notification to Parent(s), Guardian(s), or Emergency Contact(s)

In accordance with the Family Educational Rights and Privacy Act of 1974 and the New York Education Law § 6438-d, if the Student Conduct and Community Standards Office finds that a student under 21 has violated the University's policies or federal, state, or local law related to alcohol or controlled substances, the president of the University or a designated representative may notify the student's parent(s), guardian(s), or emergency contact(s).

Tuition and Fee Refunds

Students who are suspended, expelled or removed from the University housing pursuant to student conduct action are ineligible for a refund of tuition and fees. This excludes those who enter into informal resolution agreements.

Review/Amendment of This Code

The Division of Student Affairs shall conduct a regular review of the *Code of Conduct*. Appropriate members of the Student Government Association (SGA), the Graduate Student Council (GSC), and Faculty Senate shall meet with the Director of Student Conduct and Community Standards and other appropriate administrators for this review. This regular review shall take place approximately every two (2) years. The SGA, Faculty Senate, Graduate Student Council, and other stakeholders may make recommendations for the change of this *Code* at any time for consideration during the next review period.

Changes recommended through the regular review process, or the process just described, shall be considered by a committee consisting of representatives from the SGA, Faculty Senate, GSC and administration. Recommendations of this joint committee shall then be posted for public comment (from the entire university community) for a period of two (2) weeks. Public comments shall be submitted to the Director of Student Conduct and Community Standards for consideration by the committee. After the public comment period, the final draft shall be brought before the Faculty Senate, the Student Government Association, the Graduate Student Council, and University Executive Leadership, for approval. The Board of Trustees, if it so requests, will also need to approve changes.

For explicit and time-sensitive changes required to the Code of Conduct due to federal, state, and local legislation, or other urgent matters that require a timely response, the University will conduct an alternative and expedited process. This process will rely on the Vice President of Student Affairs, Diversity, Equity, Inclusion and Belonging and the Dean of Student Affairs, or designee;, Chairperson of Faculty Senate, or designee;, and President of the Student Government Association (SGA), or designee;, and the President of the Graduate Student Council, or designee, to draft and approve changes for general counsel's review. The group listed above, shall draft these changes within two (2) weeks, and provide public comment to the university for a period of one (1) week. general counsel's review and as needed, the Vice President of Student Affairs, Diversity, Equity, Inclusion, and Belonging and Dean of Student Affairs, or ⁹designee;, Chairperson of Faculty Senate, or designee;, and President of the Student Government Association, or designee;, and President of the Graduate Student Council, or designee, shall inform their constituencies of these provisional changes. The provisional changes are subject to subsequent ratification by the Faculty Senate and Student Government Association, and Graduate Student Council. No changes will go into effect until fully ratified as outlined below.

This code becomes effective on August 1, 2026, and supersedes all previous versions of the Code of Conduct. Any incident with an incident date before August 1, 2026, shall be subject to the provisions of the Code of Conduct effective August 1, 2022.

⁹ Reasonable notice shall be provided to all constituent groups to ensure proper compliance with established voting procedures.